

Application No. 10/762,600  
Amendment dated June \_\_\_, 2006  
Reply to Office Action of April 4, 2006

Docket No. 1232-5255

### REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### Status of the Claims

Claims 26-35 are pending in this application. Claims 26-35 are independent. All of the pending claims stand rejected. By this amendment, claims 26-35 have been amended. No new matter has been added by this amendment.

#### Rejections

Claims 26-35 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0085956 to Irizawa et al. ("Irizawa") in view of U.S. Patent No. 6, 145,950 to Ohtsuka et al. ("Ohtsuka").

#### Claim Amendments

Claims 26, 29 and 30 have been amended to recite that the invention includes at least one ink tank and that the discrimination portion determines the type of ink loaded based on the shape of the ink tank. Similarly, claims 32, 34 and 35 have been amended to recite that the invention includes storing ink in at least one ink tank and that the invention discriminates whether the type of ink loaded is the pigment ink or the dye ink based on the shape of the ink tank. The specification discloses an ink tank (Specification at 18) and determining the type of ink based on the shape of the ink tank (Specification at 20).

Irizawa does not disclose the step of determining the type of ink loaded by the shape of the ink tank, nor does it disclose a discrimination portion that determines the type of ink loaded based on the shape of the ink tank. Ohtsuka discloses an ink-jet printer which includes an

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ink/print media discriminating portion that determines the kind of ink in each ink tank by sending electric current through a group of electrical pads on the ink cartridge side of the ink tank. Col. 9, Lns. 8-20. In particular, the conductive/insulated status of these electrical pads indicates the type of ink contained in the ink tank, e.g., if pads 1 and 2 are conductive and pad 3 is insulated, the ink tank contains regular type of ink. Col. 9, Lns. 8-20.

Claims 27 and 28 have been amended to recite a determining means for determining the type of printing medium, the type being reselected by the selection portion after the warning is issued by the warning means. Similarly, claims 31 and 33 were amended to recite the step of determining the type of printing medium and reselecting the printing medium after the warning is issued by the warning means. Neither Irizawa nor Ohtsuka discloses determining and reselecting the type of printing medium after issuance of a warning.

Amended claims 26-35 are accordingly believed to be allowable over the cited art of records (Irizawa and Ohtsuka), either taken alone or in combination, for at least the reasons discussed above.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

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**AUTHORIZATION**

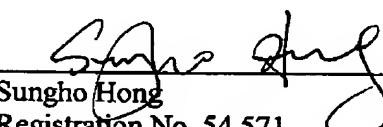
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5255). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: June 30, 2006

By:

  
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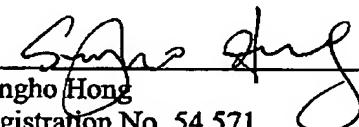
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